



U.S. Department
of Transportation

Research and
Special Programs
Administration

MAR 14 2000

400 Seventh Street, S.W.
Washington, D.C. 20590

DOT-E 10458
(TENTH REVISION)

EXPIRATION DATE: January 31, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Marsulex Inc.
Sudbury, Ontario, Canada
(U.S. Agent: Marsulex Inc.
Chicago, IL)

(See Appendix A to this document for a list of additional grantees)
2. PURPOSE AND LIMITATION: This exemption authorizes the use of DOT Specification 111A100W2 tank car tanks loaded with the hazardous materials identified in paragraph 6 below, to remain attached to transfer connections when the unloading process is discontinued. This exemption provides no relief from any Hazardous Materials Regulation (HMR) other than as specifically stated herein.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 174.67(i) and (j).
5. BASIS: This exemption is based on the application of Marsulex Incorporated dated November 5, 1999, submitted in accordance with § 107.109.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous materials Description --	Hazard Class/ Division	Identi- fication Number	Packing Group
Sulfuric acid with more than 51% acid	8	UN1830	II
Sulfuric acid, fuming with less than 30% free sulfuric trioxide	8	UN1831	I
Sulfuric acid, spent	8	UN1832	II

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Proper Shipping Name/ Hazardous materials Description --	Hazard Class/ Division	Identification Number	Packing Group
Sulfur dioxide	2.3	UN1079	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packagings prescribed are DOT Specification 111A100W2 tank car tanks.

b. OPERATIONAL CONTROLS - The provisions of this exemption are applicable at the following Marsulex facilities: Cairo, Ohio; Cleveland, Ohio; Oregon, Ohio; River Rouge, Michigan; Chicago, Illinois; Albany, New York; Ottumwa, Iowa; and Auburn, Maine. Also, the Matlack Bulk Intermodal Services, Inc. (MBIS) Elizabeth, New Jersey, location.

c. An employee who is familiar with the nature and properties of the material being unloaded must be made responsible for unloading.

d. The employee responsible for unloading must be instructed on the procedures to be followed during unloading and, in the event of an emergency, has the authority and ability to halt the flow of product and take emergency actions.

e. When an electronic or mechanical monitoring device is used, the device must be capable of immediately halting the flow of product or alerting an employee responsible for unloading in the event of an emergency.

f. The electronic or mechanical monitoring device must provide immediate notification of any malfunction to the person responsible for unloading, or the device must be checked hourly for malfunction. In the case of malfunction, the device will no longer be relied upon, and instead the individual responsible for unloading will constantly observe the unloading process.

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8. SPECIAL PROVISIONS:

a. Any manually operated switch providing access to the track on which the equipment is located must be lined against movement to that track and locked with a non-railroad effective locking device.

b. A derail (one that is capable of restricting access to that portion of track within the area on which the tank car tanks are located) must be positioned at least 50 feet from the end of the equipment to be protected by the caution sign. The derail must be locked in the derailing position with a non-railroad effective locking device by the employee performing the unloading/loading operation.

c. Written safety procedures must be on file with the Office of Hazardous Materials Exemptions and Approvals and at each location where the unloading is performed and must contain at least the following:

- monitoring of the transfer process [see paragraphs 7(c), (d), and (e)]
- employee safety
- unloading/loading procedures
- movement of tank cars adjacent to unloading/loading tracks
- testing and maintenance of system components
- emergency measures

d. The marking requirements of § 172.302(c) are waived.

e. All unloading connections must be unhooked at the close of business.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

10. MODAL REQUIREMENTS: None as a requirement of this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq.:

o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

o Registration required by § 107.601 et seq., when applicable.

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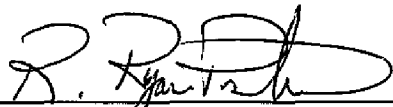
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Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:



for Robert A. McGuire
Acting Associate Administrator
for Hazardous Materials Safety

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(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

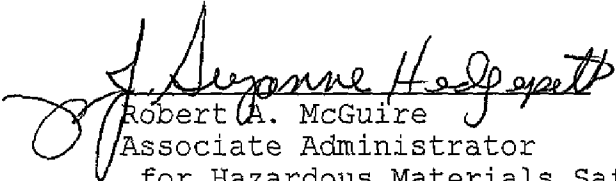
Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street, SW, Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

Dist: FRA
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JUN 27 2001

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with S 107.107 or S 107.109, as appropriate:

Company Name City & State	Applica- tion date	Issue Date	Expiration Date
Matlack, Inc. (Formerly: Matlack Bulk Intermodal Services, Inc.) Elizabeth, NJ	3/9/2000 & 3/14/2000	3/14/2000	1/31/2002
Chemtrade Logistics, Inc., North York, Ontario Canada (U.S. Agent: Chemtrade Logistics, Inc. Chicago, IL)	6/15/2001	JUN 27 2001	1/31/2002
Surpass Chemical Company, Inc. Albany, NY	5/4/2000 & 5/8/2000	5/10/2000	1/31/2002


Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety